



OPINION

European Economic and Social Committee

Precarious work and mental health

Precarious work and mental health
(Exploratory opinion requested by the Spanish Presidency)

SOC/745

Rapporteur: **José Antonio MORENO DÍAZ**

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EN

Request from the Spanish
Presidency of the Council
Legal basis

Letter, 27/07/2022

Article 304 of the Treaty on the Functioning of the European Union
(exploratory opinion)

Section responsible

Employment, Social Affairs and Citizenship

Adopted in section

03/04/2023

Adopted at plenary

27/04/2023

Plenary session No

578

Outcome of vote

(for/against/abstentions)

158/73/12

1. **Conclusions and recommendations**

- 1.1 According to the European Parliament's resolution of 4 July 2017, precarious employment is "employment which does not comply with EU, international and national standards and laws and/or does not provide sufficient resources for a decent life or adequate social protection".
- 1.2 Work can be a factor in protecting mental health, but it can also contribute to the development of diseases, which is why the WHO considers it a social determinant of health.
- 1.3 According to robust scientific evidence, precarious work increases the chances of workers' mental health deteriorating. For example, high job insecurity increases the chances of suffering from depression and anxiety and of suicide; high demands and a low level of control increase the chances of sick leave due to a diagnosed mental disorder; similarly, the combination of these two risks increases the likelihood of suffering from depressive disorders.
- 1.4 Forms of precarious work may include: involuntary part-time employment; low salaries that do not cover basic needs; zero-hour, on-demand or temporary contracts to cover structural needs; constant uncertainty regarding the duration of employment, working hours, salary, tasks, etc.; lack of autonomy and career development; and excessive demands leading to long or intensified working hours and to work-family conflict. Such forms of work are rarely a voluntary choice for workers, although there are workers who choose them.
- 1.5 Precarious work is more prevalent among workers in manual labour jobs, women, young people and migrants. This adds to social inequalities and can multiply discrimination and the social gradient of mental illness.
- 1.6 According to Directive 89/391/EEC on safety and health at work, the EU Charter of Fundamental Rights, the European Social Charter, the Treaty on the Functioning of the European Union and the principles of the European Pillar of Social Rights and its action plan, neither generating or increasing corporate profits, nor reducing labour costs or ensuring flexibility for employers can come at the cost of health and safety at work.
- 1.7 Precarious work is incompatible with the achievement of the SDGs in the EU.
- 1.8 In order to reduce precarious work and the prevalence of the associated mental health problems, the EESC believes that it is necessary to ensure that the European and national legislation establishing quality, healthy working and employment conditions that make it possible to live a dignified life is implemented and enforced.
- 1.9 To this end, the EESC considers it essential to step up measures to monitor and audit compliance with this legislation, subject to adequate resources being allocated to the competent public authority (ILO ratios), and to ensure appropriate financial sanctions for non-compliance.
- 1.10 In addition, the EESC proposes debarment from public procurement tenders and public aid for businesses and organisations that do not guarantee compliance with this legislation, in line with the current public procurement Directives.

- 1.11 The EESC notes the Communication on the EU strategic framework on health and safety at work 2021-2027 (COM(2021) 323 final). In addition, the EESC proposes adopting specific legislation on preventing psychosocial risks at EU level, as well as developing and modernising the Directive on Occupational Safety and Health (89/391/EEC), implementing prevention of occupational psychosocial risks at the source, and changing the way work is designed, managed and organised, since scientific evidence has shown that specific national legislation in this field is a more effective form of preventative action and of reducing exposure to these risks. Its benefits could therefore be extended to all EU countries by a directive.
- 1.12 The EESC stresses that combating identified work-related psychosocial risks at the source, using organisational interventions to reshape working conditions, is a step in promoting mental health in the workplace, in line with what was outlined by the WHO and the ILO in their guidelines and policy brief of September 2022¹.
- 1.13 The EESC takes note of and supports the ongoing negotiations on the 2021 proposal for a Directive on improving working conditions in platform work. Likewise, the EESC proposes developing appropriate approaches to manage the use of artificial intelligence at work in a way which prevents occupational risks and the undermining of other labour rights.
- 1.14 Finally, the EESC proposes that an industrial policy at European and national level be designed in order to create quality jobs that ensure healthy working conditions and improve competitiveness.

2. General comments

- 2.1 The Spanish government considers it a priority to "address the impact of precarious work on mental health" during its presidency of the Council of the EU 2023, as it is imperative to correct it "in order to define new labour policies to move towards healthier, people-centred, more inclusive labour markets based on decent work"². It has therefore called on the EESC to draw up an exploratory opinion on this matter.
- 2.2 Precarious work is incompatible with the achievement of the UN 2030 Millennium Goals, specifically SDG 8 - Decent work and economic growth, SDG 3 - Good health and wellbeing, and SDG 5 - Gender equality³. According to the WHO⁴, "decent work is good for mental health, and poor working environments – including discrimination and inequality, excessive workloads, low job control and job insecurity – pose a risk to mental health".

¹ https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_856821/lang--en/index.htm.

² Second Deputy Prime Minister, Ministry of Work and the Social Economy: Request for an exploratory opinion.

³ UN General Assembly, Seventieth session (2015), Transforming our world: the 2030 Agenda for Sustainable Development, resolution adopted by the General Assembly on 25 September 2015.

⁴ <https://www.who.int/news-room/fact-sheets/detail/mental-health-at-work>.

- 2.3 The European Parliament's resolution on working conditions and precarious employment understands precarious employment⁵ to mean "employment which does not comply with EU, international and national standards and laws and/or does not provide sufficient resources for a decent life or adequate social protection".
- 2.4 According to the EU-OSHA thesaurus, precarious employment is "employment that is poorly paid, insecure, unprotected, and that cannot support a household"⁶. Meanwhile, the international network Precarious Work Research (PWR) defines precarious work as "a multi-dimensional construct including but not limited to employment insecurity, income inadequacy, and lack of rights and protection in the employment relation, which could affect both informal and formal workers"⁷. As Eurofound notes, precarious work does not have a universal definition but the need to address it is widely recognised in order to ensure decent and healthy working conditions, in line with the ILO's Decent Work Agenda⁸.
- 2.5 In light of these concepts, certain forms of employment and working conditions that shape poor quality jobs can be considered precarious. These include: involuntary part-time employment; long working hours or the obligation to be continuously available; low or unpredictable wages; abusive use of temporary contracts, zero-hour or on-demand contracts; non-contract work; and work without preventative measures.
- 2.6 Precarious work may involve: longer and more intense working days; a lack of autonomy and career development; unpredictable and unsocial working days and hours leading to work-family conflict; insufficient working hours and salaries that do not cover basic costs; constant uncertainty regarding the duration of employment and working conditions (hours, salary, tasks, etc.); difficulty exercising labour rights, including collective action, reducing contractual power; greater vulnerability to abuse, discrimination and harassment; and the inability to live a dignified life, despite being employed ("working poor").
- 2.7 Precarious work can have consequences for numerous areas of daily life, including health. EU-OSHA notes that "[s]tudies on the OSH effects of precarious employment found a negative association with OSH and that the higher the instability of employment, the more it is associated with morbidity/mortality"⁹.
- 2.8 Some specific examples based on scientific evidence of the highest quality comparing exposed workers with unexposed workers (longitudinal studies or those performed with large databases that discard data that is random and isolate other causes both within and outside the working environment) show that the high level of perceived job insecurity that characterises precarious work increases the chances of suffering from depression by 61%, the chances of suffering from

⁵ https://www.europarl.europa.eu/doceo/document/TA-8-2017-0290_EN.html.

⁶ <https://osha.europa.eu/en/tools-and-resources/eu-osha-thesaurus/term/62001d>.

⁷ <https://doi.org/10.1186/s13643-021-01728-z>.

⁸ <https://www.eurofound.europa.eu/it/node/91840>.

⁹ EU-OSHA (2013), Priorities for occupational safety and health research in Europe: 2013-2020. Luxembourg: Publications Office of the European Union. 10.2802/25457.

anxiety by 77%¹⁰, and the chances of suicide by 51%¹¹. They also show that high work demands increase the chances of sick leave on the grounds of a diagnosed mental disorder by 23%, that having a low level of control increases this by 25%¹² and that a combination of these two factors increases the likelihood of depression by 77%. Likewise, long working hours increase the chances of depression by 14%¹³.

- 2.9 If exposure to occupational psychosocial risks were eliminated in the EU, depression would fall by between 17 and 35%, and cardiovascular diseases by between 5 and 11%¹⁴.
- 2.10 Precarious forms of employment and working conditions are rarely a voluntary choice. Evidence consistently shows that these forms of employment are more prominent among workers in manual labour jobs, women, young people and migrants¹⁵, adding to social inequalities such as class, gender, age, nationality and ethnicity, which can multiply intersectional discrimination, existing health inequalities, and the social gradient of mental illness. Although these forms of work are often not the preferred option, there are workers who choose these forms of work.
- 2.11 The prevalence of precarious work also varies between EU countries¹⁶ and between activity sectors. Incidence is higher in activities which are an extension of domestic and care work (i.e. cleaning, social and health care, hospitality, hotels, security, home delivery, etc.)¹⁷, which has been intensified by the COVID-19 pandemic. However, precarious work exists in all sectors – including the public sector – and in all countries.
- 2.12 According to Directive 89/391/EEC on safety and health at work, the employer has a duty to ensure the safety and health of workers in every aspect relating to the work. According to Article 31 of the EU Charter of Fundamental Rights, every worker has the right to working conditions that respect his or her health, safety and dignity. Furthermore, every worker has the right to the limitation of maximum working hours, to daily and weekly rest periods, and to an annual period of paid leave, among other things. This is further reflected in the European Social Charter, the Treaty on the Functioning of the European Union, and the principles of the European Pillar of Social Rights and its action plan. Neither generating or increasing corporate profits, nor reducing

10 Niedhammer, I., Bertrais, S., & Witt, K. (2021). Psychosocial work exposures and health outcomes: a meta-review of 72 literature reviews with meta-analysis. *Scandinavian Journal of Work, Environment & Health*, 47(7), 489–508.

11 Blomqvist, S., Virtanen, M., LaMontagne, A. D., & Magnusson Hanson, L. L. (2022). Perceived job insecurity and risk of suicide and suicide attempts: a study of men and women in the Swedish working population. *Scandinavian Journal of Work, Environment & Health*, 48(4), 293–301.

12 Duchaine, CS et al. (2020). Psychosocial stressors at work and the risk of sickness absence due to a diagnosed mental disorder: a systematic review and meta-analysis. *JAMA psychiatry*, 77(8), 842-851.

13 Niedhammer, Bertrais, Witt (2021), (see above).

14 Niedhammer I et al. (2022). Update of the fractions of cardiovascular diseases and mental disorders attributable to psychosocial work factors in Europe. *International Archives of Occupational and Environmental Health*, 95(1), 233-247.

15 <https://oshwiki.osha.europa.eu/en/themes/precarious-work-definitions-workers-affected-and-osh-consequences>.

16 Matilla-Santander N et al. (2019). Measuring precarious employment in Europe 8 years into the global crisis. *J Public Health (Oxf)*, 41(2):259-267.

17 Eurofound (2021). Working conditions and sustainable work: An analysis using the job quality framework. Luxembourg: Publications Office of the European Union.

labour costs or ensuring flexibility for employers can come at the cost of health and safety of workers.

- 2.13 It should be noted as regards mental health in general that public health care systems play an important role. Without rapid/necessary changes and adaptations in the public health care systems and availability of psychological and psychiatric help in emergency, remote and therapeutic mode, we will not properly address the mental health not only of employees but also of all citizens in Europe.

3. **Specific comments**

- 3.1 The imbalance of power between capital and labour is a risk factor for precarious work. This imbalance needs to be levelled, both through laws and through social dialogue and trade union action, creating a context that protects men and women workers while maintaining favourable economic circumstances and avoiding unfair competition.
- 3.2 The need to increase compliance with the legislation on the rights of workers and their representatives and to implement it is demonstrated by the fact that, in the EU, the three main reasons motivating businesses to address OSH in establishments are: to comply with legislation (89.2%), to meet the demands of workers and their representatives (81.8%), and to avoid fines from the labour authority (79.4%)¹⁸.
- 3.3 Another example of the effectiveness of legislation in reducing contractual precariousness can be seen in Spain: the recently approved labour reform (the fruit of social dialogue) has reduced the abnormally high rates of temporary employment in the Spanish labour market.

4. **Proposals**

- 4.1 The EESC notes there is robust evidence that precarious work increases the chances of experiencing poor mental health. Thus, following the recommendations of the scientific field on occupational and public health and occupational epidemiology, and those of international institutions on mental health in the workplace, and taking into account the rights laid down in Directive 89/391/EEC on preventing occupational risks at the source, all the measures proposed here consciously follow an approach aimed at limiting the spread of risks associated with precarious work in order to prevent deterioration in workers' mental health. As the risk factors potentially having an impact on mental health vary greatly between different sectors and even between different workplaces within the same sector, best solutions can most often be found through social dialogue at sectoral or company level allowing for a targeted approach, taking into account all legal frameworks.
- 4.2 The EESC notes that, in its strategic framework on health and safety at work (2021-2027)¹⁹, the Commission indicated that it will, among other things:

¹⁸ <https://visualisation.osha.europa.eu/esener/en/survey/datavisualisation/2019>.

¹⁹ Communication on the EU strategic framework on health and safety at work 2021-2027. Occupational safety and health in a changing world of work (COM(2021) 323 final).

- launch an "EU-OSHA healthy workplaces campaign" 2023-2025 to create a safe and healthy digital future, covering psychosocial and ergonomic risks in particular;
- in cooperation with the Member States and the social partners, prepare a non-legislative EU-level initiative relating to mental health at work that assesses emerging issues relating to workers' mental health, and put forward guidance for action before the end of 2022;
- develop the analytical basis, e-tools and guidance for risk assessments relating to green and digital jobs and processes, including psychosocial and ergonomic risks in particular.

4.3 **Ensuring the implementation of the existing EU and national legislation establishing quality employment and working conditions**

4.3.1 The EESC notes that the current EU Directives on employment and working conditions, representation and participation cover rights, obligations and responsibilities relating to the organisation of working time (2003/88/EC), work-life balance (2019/1158/EU), adequate minimum wages (2022/2041/EU), non-discrimination (2006/54/EC, 2000/78/EC, 2000/43/EC), predictability and transparency in working conditions (2019/1152/EU), occupational risk prevention, occupational health and job security (89/391/EEC and its specific developments), and information and consultation of workers and their representatives (2009/38/EC, 2003/72/EC, 2002/14/EC). Similarly, freedom of association, freedom to engage in collective bargaining, and the right to demonstrate and strike are protected by the EU Charter of Fundamental Rights. Implementing this legal corpus fully could enable workers to have decent work, reduce uncertainty, and promote mental health.

4.3.2 However, the EESC notes there is room for improvement when it comes to the implementation and enforcement of, and compliance with, these laws on working conditions, established as necessary minimum rights, as well as with the application of the existing legislation.

4.4 For this reason, the EESC proposes to:

4.4.1 increase the monitoring and enforcement of existing labour legislation covered by these Directives to ensure their effective implementation. To this end, the Member States need to provide the competent labour authorities with adequate human resources, following the ILO's recommended ratios²⁰;

4.4.2 ensure appropriate financial sanctions for instances of non-compliance with these Directives;

4.4.3 use debarment from public procurement tenders and from EU, national, local or any other public aid for non-compliance with these Directives, in line with the current public procurement Directives;

4.4.4 make full use of the possibilities offered by the Senior Labour Inspectors' Committee (SLIC) for EU coordination in monitoring the enforcement of the legislation referred to in point 4.3.1.

²⁰ https://www.ilo.org/global/topics/labour-administration-inspection/resources-library/publications/WCMS_844151/lang-en/index.htm, § 4.1.8

4.4.5 The EESC supports the ongoing negotiations on the 2021 proposal for a Directive on improving working conditions in platform work and takes note of the on-going negotiations on the position of the Council as well as the amendments proposed by the European Parliament's Employment Committee in December 2022. Likewise, the EESC proposes developing appropriate approaches to manage the use of artificial intelligence at work in a way which prevents occupational risks and the undermining of other labour rights.

4.5 Focussing on the prevention of work-related psychosocial risks

4.5.1 The EESC takes note of the Communication on EU strategic framework on health and safety at work 2021-2027 (COM(2021) 323 final). In addition, the EESC proposes adopting specific legislation on preventing psychosocial risks at EU level, developing and modernising the Directive on Occupational Safety and Health (89/391/EEC), implementing prevention of occupational psychosocial risks at the source, and changing the way work is designed, managed and organised, since scientific evidence shows that specific national legislation in this field is a more effective form of preventative action and of reducing exposure to these risks²¹.

4.5.2 Moreover, the EESC stresses that the right to a safe and healthy working environment was introduced in the framework of ILO fundamental principles and rights at work at the 110th International Labour Conference of June 2022, and that combating work-related psychosocial risks at the source, using organisational interventions to reshape working conditions, is an essential step in promoting mental health in the workplace, in line with what was agreed by the WHO and the ILO in their guidelines and policy brief outlining practical strategies from September 2022²². In addition to psychosocial risk prevention, these institutions recommend, as a second step, to improve mental health at work, protecting and promoting it, especially through training and interventions that improve mental health literacy. The third step is to support workers with mental health conditions to participate fully and equitably in work through reasonable accommodating measures and return-to-work programmes. Finally, they recommend creating an enabling environment with cross-cutting measures to improve mental health at work through leadership, investment, rights, integration, participation, evidence and compliance.

4.5.3 The EESC underlines, as also stated in the EU level social partners framework agreement on stress, under framework Directive 89/391, all employers have a legal obligation to protect the occupational safety and health of workers. This duty also applies to problems of work-related stress in so far as they entail a risk to health and safety.

4.5.4 In this context, the EESC proposes that this Directive develop the primary prevention of work-related psychosocial risks with an organisational and collective approach. To this end, it would cover:

²¹ Jain, A. et al (2022), The impact of national legislation on psychosocial risks on organisational action plans, psychosocial working conditions, and employee work-related stress in Europe. *Social Science & Medicine* 302.

²² https://www.ilo.org/wcmsp5/groups/public/--ed_protect/--protrav/--safework/documents/publication/wcms_856976.pdf

- 4.5.4.1 quality requirements for the assessment measures used (corroborated with health data, measuring the psychosocial risks established by scientific evidence and displaying inequalities, etc.);
- 4.5.4.2 where needed, the establishment, planning and implementation of preventative measures for eliminating or minimising these risks by: 1) responding to the results of the assessment of psychosocial risks; 2) changing, at the source, working conditions that have been deemed to be harmful, using organisational measures to ensure that preventative measures do not focus solely on empowering and rehabilitating;
- 4.5.4.3 the employer's duty to reduce occupational risks by implementing appropriate measures to address identified work-related psychosocial risks reshaping working conditions, which could include: improving technology and the production processes for goods and services and increasing staff numbers in order to reduce burdens; ensuring schedule arrangements are compatible with care work within families; promoting participatory and cooperative working methods to allow workers to have a say in the way their jobs are carried out, and increasing functional support between workers and their managers; establishing fair procedures for hiring, assigning work, training and promotions in order to improve the quality of leadership; designing enriched tasks that allow workers to use their skills and knowledge, and learn new ones; promoting stability in employment and working conditions, and predictability when it comes to changes, which need to be reasoned and reasonable, in order to prevent job insecurity; and an adequate salary that must provide for a dignified life in accordance with applicable law, social dialogue and collective agreements. All of these measures would contribute to reducing precarious work and protecting mental health;
- 4.5.4.4 the requirement to take duly into account the preventative purpose of the assessment in order to promote the efficient management of these risks, avoiding merely bureaucratic reassessments;
- 4.5.4.5 ensuring that all these measures to prevent psychosocial risks at the source, from the design of the assessment to organisational changes and the monitoring of their effectiveness in reducing risks, are based on the participation of workers and their representatives at workplace or company level in accordance with the applicable rules on information and consultation with workers and/or their representatives. To this end, it should be ensured in line with the existing national rules that the relevant bodies exist and operate when so provided by national legislation and/or collective agreements: health and safety committees, prevention delegates, works committees, etc. Negotiations between trade union representatives and the employer should also be ensured in accordance with the applicable legislation and collective agreements.

4.6 **Industrial policy designed to support the creation of quality jobs**

- 4.6.1 Individual countries' industrial policy, among other factors, has an impact on companies' ability to create high-quality, skilled jobs in an economy. The EESC therefore proposes that the design of industrial policy at European level should take account of the aim of creating high-quality, skilled jobs that ensure healthy working conditions and improve competitiveness. This could be based, among other things, on:

- 4.6.1.1 much more active engagement from public authorities, including economic development agencies, focused on providing the necessary infrastructure and active employment policies geared towards the specific needs of industries with the greatest potential to create quality local jobs, requiring, in exchange, that beneficiary companies provide a minimum number of these job posts;
 - 4.6.1.2 targeting R+D investment towards productivity-increasing and labour-friendly technologies in order to synergistically increase their value-creating capacity;
 - 4.6.1.3 including criteria for preventing occupational risks and protecting workers' health in the design of industrial policy;
 - 4.6.1.4 including trade and sustainable development chapters that ensure labour rights in international trade agreements.
- 4.7 The EESC proposes that knowledge of individual and collective labour rights as well as entrepreneurial skills be included in the cross-cutting curriculum of compulsory education and vocational training in each country, in order to equip future workers and employers with the necessary knowledge of these matters.
- 4.8 Following the results of Eurofound, EU-OSHA and Eurostat surveys and data, the EESC proposes regularly identifying the most prevalent forms of precarious work and the contexts in which they develop (countries, sectors, etc.) as well as the groups most affected (workers in manual labour jobs, women, young people, etc.), and observing how the trend develops.
- 4.9 The EESC proposes boosting research into job quality and mental health, starting by improving information systems and epidemiological surveillance in these areas.

Brussels, 27 April 2023

Oliver Röpke
The president of the European Economic and Social Committee

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N.B.: Appendix overleaf

APPENDIX to the OPINION
of the
European Economic and Social Committee

The following amendments, which received at least a quarter of the votes cast, were rejected during the discussion (Rule 60 (2) of the Rules of Procedure):

AMENDMENT 1

SOC/745

Precarious work and mental health

Point 2.7

Insert new point

Position: After existing point 2.6

Tabled by:

BLIJLEVENS René

DANISMAN Mira-Maria

MINCHEVA Mariya

PILAWSKI Lech

POTTIER Jean-Michel

VADÁSZ Borbála

<i>Section opinion</i>	<i>Amendment</i>
	<p><i>The definition used by the EP in its 2017 resolution^[12], on the one hand, indicates that precarious employment means work that does not comply with applicable legislation. That definition, however, also refers to work that "does not provide sufficient resources for a decent life or adequate social protection". At the same time the EESC notes that, according to Eurofound, precarious work is a concept that does not have a universally accepted definition across Europe, while the need to address this complex phenomenon is widely recognised. According to WHO, at work, risks to mental health, also called psychosocial risks, may be related to job content or work schedule, specific characteristics of the workplace or opportunities for career development among other things. WHO also indicates that although psychosocial risks can be found in all sectors, some workers are more likely to be exposed to them than others, because of what they do or where and how they work^[13]. Also the EU level social partners' autonomous agreement on stress states that work-related stress can be caused by different factors such as work content, work organisation, work environment, poor communication, etc.^[14] This means that</i></p>

	<p><i>when assessing the link between precarious employment and mental health risks, account must be taken of the absence of a universally accepted definition in Europe. Furthermore, the assessment must take into account the following:</i></p> <ul style="list-style-type: none"><i>• There is no automatic causal link between what is considered as precarious work in this opinion and poor mental health but precarious work is one of the risk factors that can have a negative effect on workers' mental health. The points raised in paragraphs^[15] 1.3 and 2.6 of this opinion are in contradiction with or do not sufficiently reflect this consideration.</i><i>• Mental health is a mix of individual, family, socio-economic and environmental circumstances, and some of the risk factors for mental health are present in workplaces but also in society in general. Precariousness must always be based on a situational assessment of the individual's circumstances. This is also reflected in the EU level social partners' framework agreement on stress^[16], which states that diversity of the workforce is an important consideration when tackling problems of work-related stress and that different individuals can react differently to similar situations and the same individual can react differently to similar situations at different times of his/her life. The points raised in paragraphs 1.5 and 2.6 of this opinion are in contradiction with or do not sufficiently reflect these considerations.</i><i>• In addition many of the issues linked to different types of employment are already addressed in EU and national legislation dealing with occupational health and safety, working time and other relevant aspects. The points raised in paragraphs 1.11, 2.6, 4.5.1, 4.5.4 and 4.5.4.3 of this opinion are in contradiction with or do not sufficiently reflect these considerations.</i>
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	<ul style="list-style-type: none"> • <i>At the same time the forms of work that this opinion appears to consider as precarious, can also be a stepping stone to entering the labour market and gradually moving to more permanent employment. The points raised in paragraph 1.5 of this opinion are in contradiction with or do not sufficiently reflect this consideration.</i> <p><i>[12] Texts adopted - Working conditions and precarious employment - Tuesday, 4 July 2017 (europa.eu)</i></p> <p><i>[13] https://www.who.int/news-room/fact-sheets/detail/mental-health-at-work</i></p> <p><i>[14] See https://resourcecentre.etuc.org/agreement/framework-agreement-work-related-stress and https://www.businesseurope.eu/sites/buseur/files/media/imported/2005-00679-EN.pdf</i></p> <p><i>[15] The numbering used here refers to the numbering of paragraphs as expressed in the SOC section opinion as submitted to the Plenary and included in the Members' portal for the EESC Plenary of 26 to 27 April (changes to the numbering could result from the eventual adoption of these or any other amendments)</i></p> <p><i>[16] See https://resourcecentre.etuc.org/agreement/framework-agreement-work-related-stress and https://www.businesseurope.eu/sites/buseur/files/media/imported/2005-00679-EN.pdf</i></p>
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<p>Outcome of vote In favour: 81 Against: 127 Abstentions: 13</p>

AMENDMENT 3

SOC/745

Precarious work and mental health

Point 4.5.1

Insert new point

Position: After existing point 4.5

Tabled by:

BLIJLEVENS René

DANISMAN Mira-Maria

MINCHEVA Mariya

PILAWSKI Lech

POTTIER Jean-Michel

VADÁSZ Borbála

<i>Section opinion</i>	<i>Amendment</i>
	<p><i>Promoting mental health and well-being is in the interests of society as a whole. In working life, the promotion of mental health is important as mental health problems can lead to lower work productivity, lower work performance and higher absenteeism and good mental health is associated with better motivation and productivity. The EESC agrees with the approach of the Commission^[29] to prepare, in cooperation with Member States and social partners, a non-legislative EU-level initiative related to mental health at work that assesses emerging issues related to workers' mental health. The EESC also supports the aim of the Commission to make psychosocial and ergonomic risks part of the healthy workplaces campaign. The EESC considers that further attention should be paid, at EU and national level as well as in the workplace, to appropriate policies and/or actions to develop the primary prevention of work-related psychosocial risks with an organisational and collective approach where appropriate. There is, however, no need for proposing at the EU level specific legislation on preventing psychosocial risks. The points raised in paragraphs 1.11, 4.5.1, 4.5.4 and 4.5.4.3 of this opinion are in contradiction with or do not sufficiently reflect this consideration.</i></p> <p><i>[29] COM(2021) 323 final</i></p>

Outcome of vote

In favour: 91

Against: 127

Abstentions: 18

AMENDMENT 4

SOC/745

Precarious work and mental health

Point 4.6.1

Insert new point

Position: After existing point 4.6

Tabled by:

BLIJLEVENS René

DANISMAN Mira-Maria

MINCHEVA Mariya

PILAWSKI Lech

POTTIER Jean-Michel

VADÁSZ Borbála

<i>Section opinion</i>	<i>Amendment</i>
	<p><i>Due to the profound changes in the operating environment, there is an urgent need for the EU to shape a comprehensive and up-to-date, innovation and excellence based industrial policy. Companies will create employment and provide quality jobs when there is a favourable regulatory and investment environment and when the business can be conducted profitably. This means that jobs cannot be planned through an industrial policy. Similarly it is not sustainable or reasonable to require that companies benefiting from infrastructure or active labour market policies create a minimum number of jobs. Furthermore, industrial policy co-exists with the applicable EU and national regulatory framework concerning occupational health and safety but industrial policy itself does not provide the criteria for preventing occupational risks. Finally, companies also need access to a skilled workforce but currently face labour and skills shortages. This underlines the importance of effective life-long learning systems and improved anticipation of future skills needs. The points raised in paragraphs 4.6.1.1 and 4.6.1.3 of this opinion are in contradiction with or do not sufficiently reflect these considerations.</i></p>

Outcome of vote

In favour: 89

Against: 139

Abstentions: 9

AMENDMENT 5

SOC/745

Precarious work and mental health

Point 1.3

Insert new point

Position: After existing point 1.2

Tabled by:

BLIJLEVENS René

DANISMAN Mira-Maria

MINCHEVA Mariya

PILAWSKI Lech

POTTIER Jean-Michel

VADÁSZ Borbála

<i>Section opinion</i>	<i>Amendment</i>
	<p><i>For instance the EU level social partner's autonomous agreement on stress states that work-related stress can be caused by different factors such as work content, work organisation, work environment, poor communication, etc.^[1] When assessing the link between precarious employment and mental health risks, account must be taken of the absence of a universally accepted definition of precarious work in Europe. Furthermore, the assessment must take into account the following:</i></p> <ul style="list-style-type: none"><i>• There is no automatic causal link between what is considered as precarious work in this opinion and poor mental health, but precarious work is one of the risk factors that can have a negative effect on workers' mental health. The points raised in paragraphs^[2] 1.3 and 2.6 of this opinion are in contradiction with or do not sufficiently reflect this consideration.</i><i>• Mental health is a mix of individual, family, socioeconomic and environmental circumstances, and some of the risk factors for mental health are present in workplaces but also in society in general. Precariousness must always be based on a situational assessment of the individual's circumstances. The points raised in paragraphs 1.5 and 2.6 of this opinion are in contradiction with or do not sufficiently reflect these considerations.</i>

- *In addition many of the issues linked to different types of employment are already addressed in EU and national legislation dealing with occupational health and safety, working time and other relevant aspects. The points raised in paragraphs 1.11, 2.6, 4.5.1, 4.5.4 and 4.5.4.3 of this opinion are in contradiction with or do not sufficiently reflect these considerations.*
- *At the same time the forms of work that this opinion appears to consider as precarious can also be a stepping stone to entering the labour market and gradually moving to more permanent employment. The points raised in paragraph 1.5 of this opinion are in contradiction with or do not sufficiently reflect this consideration.*

[1] See

<https://resourcecentre.etuc.org/agreement/framework-agreement-work-related-stress> and <https://www.businesseurope.eu/sites/buseur/files/media/imported/2005-00679-EN.pdf>

[2] The numbering used here refers to the numbering of paragraphs as expressed in the SOC section opinion as submitted to the Plenary and included in the Members' portal for the EESC Plenary of 26 to 27 April (changes to the numbering could result from the eventual adoption of these or any other amendments),

Outcome of vote

In favour: 83

Against: 139

Abstentions: 15

AMENDMENT 6

SOC/745

Precarious work and mental health

Point 1.4

Insert new point

Position: After new point 1.3 (see amendment 5)

Tabled by:

BLIJLEVENS René

DANISMAN Mira-Maria

MINCHEVA Mariya

PILAWSKI Lech

POTTIER Jean-Michel

VADÁSZ Borbála

<i>Section opinion</i>	<i>Amendment</i>
	<p><i>The EESC agrees with the approach of the Commission^[3] to prepare, in cooperation with Member States and social partners, a non-legislative EU-level initiative related to mental health at work that assesses emerging issues related to workers' mental health. The EESC considers that further attention has to be paid at EU and national level as well as at workplaces to appropriate policies and/or actions to develop the primary prevention of work-related psychosocial risks with an organisational and collective approach where appropriate. There is, however, no need for proposing at the EU level specific legislation on preventing psychosocial risks. The points raised in paragraphs 1.11, 4.5.1, 4.5.4 and 4.5.4.3 of this opinion are in contradiction with or do not sufficiently reflect this consideration.</i></p> <p><i>[3] Communication on EU strategic framework on health and safety at work 2021-2027 Occupational safety and health in a changing world of work COM(2021) 323 final.</i></p>

Outcome of vote

In favour: 91

Against: 141

Abstentions: 11